



CERTIFICATE OF MAILING

| | | | |
|---|------------------|------|---------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, P O Box 1450 Alexandria 22313-1450 | | | |
| Typed or Printed Name | Don Mixon | | |
| Signature | <i>Don Mixon</i> | Date | 8/18/03 |

| | | |
|---|----------------------|--|
| PAYMENT OF FEE Address to: Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number | 09/883,093 |
| | Confirmation Number | 7936 |
| | Filing Date | June 14, 2001 |
| | First Named Inventor | Catherine Guenther |
| | Examiner | Michael C. Wilson. |
| | Group Art | 1632 |
| | Title | Transgenic Mice Containing Nuclear Hormone Receptor Gene Disruptions |
| | Attorney Docket No. | R-126 |

Dear Mr. Paras:

In response to the notice titled "Informality Re Payment of Fee" dated July 17, 2003, Applicants hereby submit payment of the balance due associated with the response to the Office Action dated April 14, 2003, which response was filed July 9, 2003, requesting an extension of time of three (3) months. Please find enclosed a Fee Transmittal in the amount of \$465.00, which covers the balance due. Applicants believe all outstanding fees associated with the filing of the response to the Office Action dated April 14, 2003 have been paid.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, or credit any overpayment, to Deposit Account No. 50-1271.

Respectfully submitted,
DELTAGEN, INC.

Date: 8/18/03

By: Kelly Quast
Kelly L. Quast
Registration No. 52,141

DELTAGEN, INC.
700 Bay Road
Redwood City, CA 94063
Telephone: (650) 569-5100
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AUG 20 2003

PTO SB 17 (08-03)

Approved for use through 07/31/2006 OMB 0651-0032
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 465.00)

| Complete if Known | |
|----------------------|--------------------|
| Application Number | 09/883.093 |
| Filing Date | June 14, 2001 |
| First Named Inventor | Catherine Guenther |
| Examiner Name | Michael C. Wilson |
| Art Unit | 1632 |
| Attorney Docket No | R-126 |

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TECH CENTER 1600
2003

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number: 50-1271
Deposit Account Name: Deltagen, Inc.

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) during the pendency of this application
-
-
- Charge fee(s) indicated below, except for the filing fee to the above identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Description | Fee Paid |
|-------------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) | | |
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | | | |
| | | | -20** = | X | = |
| | | | -3** = | X | = |
| | | | | | |

| Large Entity | Small Entity | Fee Description |
|-------------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) | |
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 84 | 2201 42 | Independent claims in excess of 3 |
| 1203 280 | 2203 140 | Multiple dependent claim if not paid |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | |

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 410 | 2252 205 | Extension for reply within second month | |
| 1253 930 | 2253 465 | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | Notice of Appeal | |
| 1402 320 | 2402 160 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | Design issue fee | |
| 1503 630 | 2503 315 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | 2809 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 750 | 2810 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 750 | 2801 375 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify): _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

| SUBMITTED BY | | (Complete if applicable) | | |
|-------------------|-------------|----------------------------------|-----------------|--------------|
| Name (Print/Type) | Signature | Registration No (Attorney/Agent) | Date | Telephone |
| Kelly L. Quast | KellyLQuast | 52,141 | August 18, 2003 | 650-569-5100 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: 2 MMAILING ROOM FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09 883,093 | 06/14/2001 | Catherine Guenther | R-126 | 7936 |

7590 07/17/2003

DELTAGEN, INC.
1003 Hamilton Avenue
Menlo Park, CA 94025

[REDACTED] EXAMINER

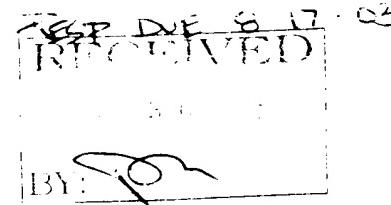
WILSON, MICHAEL C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 1632 | |

DATE MAILED: 07/17/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.



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AUG 25 2003
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| | | | |
|---------------|-------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
| | | | |

| | |
|--------------|--|
| EXAMINER | |
| ART UNIT | |
| PAPER NUMBER | |
| DATE MAILED: | |

INFORMALITY RE PAYMENT OF FEE

RECEIVED

AUG 25 2003

TECH CENTER 1600/2000

- The informality regarding the payment of the fee in connection with the original filing fee the amendment filed 07/11/03 is indicated below.

A. FEE DUE

1. The amendment is considered incomplete in that the funds in Deposit Account No. 32-1011 are insufficient to cover the entire fee due. The balance is due within the period set below.
2. The amendment is considered an incomplete response, in that payment of \$ 46.00 is insufficient to cover the claims as shown in the attached Patent Application Fee Determination Record. Remittance is due within the period set below.
3. The amendment has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account) the fee as indicated on the attached Patent Application Fee Determination Record. Remittance or authorization is due within the period set below.
4. The filing fee of \$ _____ submitted in this application is insufficient.

A balance of \$ _____ is due for additional claims.

5.

APPLICANT IS GIVEN THE REMAINDER OF THE SET PERIOD FOR RESPONSE, OR ONE (1) MONTH FROM THE DATE OF THIS LETTER, WHICHEVER IS LONGER, WITHIN WHICH TO REMIT THE FEE OF \$ 46.00.

B. EXCESS PAYMENT:

5. It is noted that payment of \$ _____ is in excess of the amount necessary to cover the claims now in the application. See the attached Patent Application Fee Determination Record.

This matter of refund or credit to your account is being referred to the Finance Officer, for his consideration.

M. J. G.
M. J. G.
REGISTRY GROUP